

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHRISTINE L. PORTER,

Petitioner,

MEMORANDUM

08-cv-635-bbc

v.

BURT RICHMOND, ENT; DR. ROWE;
DR. PETERSON; GUPTA, ENT;
GOODSET, CP MD; DR. SALOFF;
DR. WILLIAMSON; DR. KURLEY; DR. HICKS;
JOHN, Medicaid Fraud Division,

Respondents.

In an order entered in this case on November 18, 2008, I dismissed plaintiff's complaint because I concluded that her pleading violated Fed. R. Civ. P. 8. I gave plaintiff until December 1, 2008, in which to submit a proposed amended complaint that conforms to the requirements of Rule 8. On November 25, 2008, petitioner submitted her proposed amended complaint and approximately 400 pages of evidentiary materials. There are two problems with plaintiff's submission of evidentiary materials at this stage of the lawsuit. First, there is not yet an operative pleading in this case. Second, evidence is not needed until a party files a motion for summary judgment or the case goes to trial. It will be plaintiff's

responsibility to keep this evidence in her possession until it is needed. Accordingly, I am returning to plaintiff the evidentiary materials she submitted on November 25.

Entered this 28th day of November, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge